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 UNION PACIFIC RAILROAD COMPANY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RORY L. BUCKNER,

 Plaintiff,

 vs.

UNION PACIFIC RAILROAD COMPANY,

 Defendant.

Case No. 3:22-cv-00479-MMD-CLB

*Assigned to the Honorable Miranda M. Du;
 Magistrate Judge Carla Baldwin*

**ORDER GRANTING STIPULATED
 PROTECTIVE ORDER RE: UNION
 PACIFIC RAILROAD COMPANY
 SAFETY HOTLINE RECORDS;**

Complaint Filed: October 26, 2022
 Trial Date: Not set

IT IS HEREBY STIPULATED by and between Plaintiff RORY L. BUCKNER and Defendant UNION PACIFIC RAILROAD COMPANY (“UPRR”) (collectively, “the Parties”), by and through their respective counsel of record, that a Protective Order is necessary for the disclosure of certain UPRR records pertaining to its Safety Hotline reporting system, as requested in Plaintiff’s Request for Production of Documents, Set Two, Request No. 48.

The Parties ask that the Court enter the proposed Stipulated Protective Order so that UPRR may provide certain records to Plaintiff’s attorneys with the assurance that those records, along with any

1 copies, will not be retained or disseminated for use other than the instant litigation. Pursuant to the
2 Parties' stipulation and good cause appearing:

3 IT IS HEREBY STIPULATED that Plaintiff RORY L. BUCKNER and his attorneys and
4 agents, shall not use, disclose, produce, reproduce, or disseminate the Safety Hotline-related records,
5 or parts thereof, produced pursuant to this Stipulated Protective Order for any purpose or reason not
6 related this case.

7 IT IS FURTHER STIPULATED that if any of the Safety Hotline records produced pursuant to
8 this Stipulated Protective Order, or parts thereof, are made available to any employee of the Plaintiff's
9 attorneys' law firms or any outside expert or vendor, Plaintiff's attorneys will advise said employee,
10 expert, or vendor, of this Stipulated Protective Order and instruct that person not to use, disclose,
11 produce or disseminate the records for purposes not related to the instant litigation. The attorney
12 responsible for providing the Safety Hotline records to others associated with this lawsuit shall maintain
13 a written disbursement log which reflects when and to whom the records were provided and for what
14 purpose.

15 IT IS FURTHER STIPULATED that at the conclusion of this case, any Safety Hotline records
16 produced pursuant to this Stipulated Protective Order, and any copies thereof, remaining in the
17 possession or control of Plaintiff and/or his counsel shall permanently deleted within thirty (30) days.

18 The parties acknowledge that this Stipulated Protective Order does not entitle them to file
19 confidential information under seal. Local Rule ("LR") IA 10-5 sets forth the procedures that must be
20 followed and the standards that will be applied when a party seeks permission from the court to file
21 material under seal. Unless otherwise permitted by statute, rule or prior court order, papers filed with
22 the court under seal shall be accompanied by a contemporaneous motion for leave to file those
23 documents under seal and shall be filed consistent with the court's electronic filing procedures in
24 accordance with LR IA 10-5.

25 The parties acknowledge that the primary purpose of this protective order is to limit the use of
26 the "protected material" to this lawsuit. Therefore, nothing in this Stipulated Protective order shall
27 prevent a party from filing protected material in this action as reasonably necessary, provided that the
28 filling party redacts any names or other personal identifiable information of non-parties prior to filing.

This Stipulated Protective Order may be executed in counterparts.

Modification

This Stipulated Protective Order may be modified only by written agreement of the Parties or order of the Court.

Duration & Termination

All provisions of this Stipulated Protective Order shall continue to be binding after the conclusion of this action unless subsequently modified by agreement of the Parties or order of the Court.

This Stipulated Protective Order shall remain in force and effect after the termination of this litigation until canceled or otherwise modified by Order of this Court.

IT IS SO STIPULATED AND AGREED:

DATED: 01/10/2025

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By: /s/ Collin S. McCarthy
Stephanie L. Quinn
Collin S. McCarthy
Attorneys for Defendant
UNION PACIFIC RAILROAD COMPANY

DATED: 01/10/2025

HILDEBRAND, McLEOD & NELSON, LLP

By: /s/
Anthony S. Petru
Charles S. Bracewell
Gabriel A. Siniscal
Attorneys for Plaintiff
RORY L. BUCKNER

ORDER

Good cause appearing, the Stipulated Protective Order for Union Pacific Railroad Safety Hotline records produced pursuant thereto is HEREBY ORDERED.

The Court will only retain jurisdiction over this order while the case is pending and its jurisdiction will cease upon dismissal of the case.

Dated: January 13, 2025


United States Magistrate Judge

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